



# **PCT**

### INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference P134002PC-Gu		See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)					
International application No. PCT/EP2003/007413	International filing date (day/mo						
International Patent Classification (IPC) or r C05F 3/00	national classification and IPC						
Applicant	KUMMER, Andre	as					
and is transmitted to the applicant a  2. This REPORT consists of a total of  This report is also accompan amended and are the basis for 70.16 and Section 607 of the	according to Article 36.  4 sheets, including the by ANNEXES, i.e., sheets of	the description, claims and/or drawings which have been ing rectifications made before this Authority (see Rule					
3. This report contains indications relating to the following items:  I Basis of the report  II Priority  Non-establishment of opinion with regard to novelty, inventive step and industrial applicability  IV Lack of unity of invention  V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement  VI Certain documents cited  VII Certain defects in the international application  VIII Certain observations on the international application							
Date of submission of the demand	Date of	completion of this report					
09 February 2004 (09.0	2.2004)	22 November 2004 (22.11.2004)					
Name and mailing address of the IPEA/EP	Authori	zed officer					
Facsimile No.	Telepho	ne No.					

Translation



Internal application No.
PCT/EP2003/007413

I.	I. Basis of the report							
1. With regard to the elements of the international application:*								
		the international application as originally filed						
	図	the desc	ription:					
	<u></u>	pages	1-16 , as originally filed					
		pages	, filed with the demand					
		pages	, filed with the letter of					
	$\square$	the clair						
		pages	1-47					
		pages	, as amended (together with any statement under Article 19					
		pages	, filed with the demand					
		pages	, filed with the letter of					
		•						
		the drav	an antain alla flad					
		pages _	, as originally filed					
		pages pages	, filed with the letter of, filed with the demand					
		pages .	, filed with the letter of					
	∐ t	he seque	nce listing part of the description:					
		pages .	, as originally filed					
		pages	, filed with the demand					
		pages .	, filed with the letter of					
2.	the in	nternation e element	o the language, all the elements marked above were available or furnished to this Authority in the language in which hal application was filed, unless otherwise indicated under this item.  ts were available or furnished to this Authority in the following language which is:					
	H	_	guage of a translation furnished for the purposes of international search (under Rule 23.1(b)).					
	H	-	guage of publication of the international application (under Rule 48.3(b)).					
	ш	or 55.3						
3.	With prelim	regard minary ex	to any nucleotide and/or amino acid sequence disclosed in the international application, the international xamination was carried out on the basis of the sequence listing:					
	$\sqsubseteq$	contain	ed in the international application in written form.					
	H		gether with the international application in computer readable form.					
	H	furnish	ed subsequently to this Authority in written form.					
furnished subsequently to this Authority in computer readable form.								
			atement that the subsequently furnished written sequence listing does not go beyond the disclosure in the tional application as filed has been furnished.					
	Ш		atement that the information recorded in computer readable form is identical to the written sequence listing has arnished.					
4.		The am	nendments have resulted in the cancellation of:					
İ			the description, pages					
			the claims, Nos.					
			the drawings, sheets/fig					
5.			nort has been established as if (some of) the amendments had not been made, since they have been considered to go the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**					
*	in th	acement s is report 70.17).	sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to tas "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16					
**		•	ent sheet containing such amendments must be referred to under item 1 and annexed to this report.					

## 'INTERNATIONAL PRESENTINARY EXAMINATION REPORT

Internal application No.
PCT/EP 03/07413

V.	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;
	citations and explanations supporting such statement

#### 1. Statement

Novelty (N)	Claims	6-9, 19-21, 27-30, 40-42	YES
,	Claims	1-5, 10-18, 22-26, 31-39, 43-46	NO
Inventive step (IS)	Claims		YES
	Claims	1-47	NO
Industrial applicability (IA)	Claims	1-47	YES
	Claims		NO

#### 2. Citations and explanations

Reference is made to the following documents:

D1: FR-A-2 444 015 (LEGRIX GEORGES) 11 June 1980 (1980-07-11)

D2: FR-A-2 166 271 (SPEICHIM) 17 August 1973 (1973-08-17)

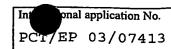
D3: EP-A-0 291 652 (BAUMGARTNER EUGEN) 23 November 1988 (1988-11-23)

The present application does not satisfy the requirements of PCT Article 33(1) because the subject matter of claims 1-5, 10-18, 22-26, 31-39 and 43-46 is not novel within the meaning of PCT Article 33(2).

Document D1 discloses a method for producing a spreadable natural fertilizer from horse manure wherein the horse dung is collected, pulverized and dried (see claims 1-5). In view of this document, the subject matter of claims 1-5, 10-18, 22-26, 31-39 and 43-46 is not considered novel.

Document D2 (see page 1, lines 18-31; claims) discloses a method for producing a horse manure-based natural fertilizer wherein the horse manure is sieved, pulverized and dried. In view of this document, the subject matter of claims 1-5, 10-18, 22-26, 31-39 and 43-46 is not considered novel.

## 'INTERNATIONAL PRIMARY EXAMINATION REPORT



Document D3 (see claims) describes a natural fertilizer consisting of formed and dried horse dropping material. In view of this document, the subject matter of claims 43 to 46 is not considered novel.

The subject matter of claims 6-9, 19-21, 27-30 and 40-42 relates merely to preferred embodiments of the subject matter of claim 1 that either are known (D3 to D6) or fall within the scope of expert activity of a person skilled in the art. The subject matter of said claims thus does not involve an inventive step (PCT Article 33(3)).